IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 4987 OF 2007

D.B. Mundphane] .. Petitioner
Versus
1. The Executive Engineer, Bhama Asked]
Division, Pune & 5 ors.] .. Respondents

Mr. Vishwajeet P. Sawant for the petitioner.

CORAM: S.B. MHASE &
D.G. KARNIK, JJ.

DATED: 16TH OCTOBER, 2007

P.C. :

1. By this Petition, the petitioner prays for a direction to compensate the petitioner for the alleged additional work of excavation of hard rock done by the petitioner in respect of the contract in question. The petitioner in fact is seeking compensation in respect of his contractual work. The appropriate remedy for such claim is by way of a Suit, especially when the question whether the petitioner has done any additional work or not is a disputed question of fact.

2. Writ Petition is, therefore, rejected summarily.

Sd/- Sd/-

[D.G. KARNIK, J.] **[S.B. MHASE, J.]**